

EXHIBIT 6

1 Q. Okay. You didn't print out the
2 things that Ms. Acey sent over to you?

3 A. No. Yeah, to be clear, I had
4 looked at them the day she had sent it or maybe a
5 couple days after and kind of just left it at that
6 so, yeah, honestly, I didn't follow up with her or
7 ask about it. I just kind of reviewed it and
8 tried to move on.

9 Q. Okay. With respect to the
10 documents yesterday -- strike that.

11 With respect to the documents
12 Ms. Acey sent to you --

13 A. Uh-hmm.

14 Q. -- what's your understanding of
15 Ms. Acey's claims based on sexual harassment from
16 those documents?

17 A. I honestly don't remember. Sorry.

18 Q. Do you have any understanding of
19 what her claims are based on sexual harassment?

20 A. I don't know the specifics. I'd
21 have to read through it again to remember the
22 exact details. To be honest, I don't remember.

23 Q. So is it fair to say that, sitting
24 here today, you have no understanding of what Ms.
25 Acey's -- you have no recollection of what Ms.

1 understanding of her job structure, if you will,
2 specifically as it relates to being promoted prior
3 to seeing those documents that she sent you?

4 A. No, not in terms of the promotion.

5 Q. Okay. So it's fair to say you
6 have no understanding of her claim with respect to
7 her not being promoted; correct?

8 A. Yes.

9 Q. Okay. The next point is -- reads:
10 Plaintiff claims that she was harassed on the
11 basis of race.

12 Did I read that correctly?

13 A. Yes, I think so.

14 Q. What is your understanding of
15 Ms. Acey's claim with respect to race? And let me
16 just qualify.

17 I'm not referring to anything that
18 predated Ms. Acey's employment with the company.

19 A. Yeah, right, understood. Yeah, I
20 don't know that I had witnessed anything
21 firsthand. I'm now trying to remember if we had
22 discussed that.

23 Q. Just so I understand your
24 testimony, you didn't witness anything with
25 respect to Ms. Acey's claims of race based

1 discrimination, but you may have discussed those
2 claims?

3 A. That's correct, yeah. I can't
4 think of any specific examples right now to back
5 that up, though.

6 Q. Okay. Do you recall having a
7 conversation with Ms. Acey with respect to those
8 claims?

9 A. Not that I can remember right now
10 that I can give you a clear answer on or clear
11 example of.

12 Q. When you say not that you can
13 remember, did you ever have any understanding of
14 these claims?

15 A. I think for a lot of them in the
16 documents, some of them were new to me after
17 reading the document. Prior to that, some of them
18 I didn't know about.

19 Q. Is this one, the claim relating to
20 race, one that you had no idea about?

21 A. That I can remember right now,
22 yeah, I didn't have an idea of some of this, I
23 believe so.

24 Q. So is it fair to say that prior to
25 seeing the documents relating to this case, you

1 had no understanding of plaintiff's claims
2 relating to the race based discrimination she
3 claimed she suffered at InductEV; right?

4 A. I believe so. I mean, yeah,
5 again, it's possible we had talked about it, but I
6 can't give you anything clear at this point today
7 to a say, yeah, I remember that discussion.

8 Q. Okay. And when you say it's
9 possible that you spoke about it, you don't recall
10 a specific conversation; right?

11 A. Nothing in detail that I can give
12 you right now, yeah.

13 Q. Help me understand what you mean
14 by in detail. Do you recall any conversations with
15 respect to race as it relates to Ms. Acey?

16 A. No.

17 Q. Okay. Do you remember seeing
18 anything from your time at InductEV that you
19 understood to be racial animus directed toward
20 Ms. Acey?

21 A. No.

22 Q. Okay. The next point reads:
23 Plaintiff claims that she was harassed on the
24 basis of sex.

25 Did I read that correctly?

1 A. Yes.

2 Q. Okay. What is your understanding
3 of Ms. Acey's claim with respect to being harassed
4 on the basis of sex -- strike that.

5 Do you have any understanding of
6 plaintiff's claim with respect to her being
7 harassed on the basis of sex?

8 A. Yeah, I am not fully remembering
9 what was in the documents exactly, so right now,
10 not sure.

11 Q. Prior to seeing those documents,
12 Ms. Tabbut, did you have any understanding of the
13 plaintiff's claims relating to sex?

14 A. Yeah, similar to my answer before.
15 I mean, I'd have to say no right now but...

16 Q. Well, similar to your answer
17 before, is it fair to say you never witnessed
18 anything at InductEV that you understood to be
19 animus directed toward Ms. Acey based on sex?

20 A. Firsthand, I don't believe I had
21 witnessed anything.

22 Q. Right. Firsthand, right. I'm
23 asking whether you saw anything that you
24 understood to be sexual harassment directed toward
25 Ms. Acey?

1 A. No, I don't think I remember
2 witnessing anything, no.

3 Q. Do you remember hearing about
4 anything prior to looking at any document with
5 respect to this case?

6 A. No.

7 Q. Do you remember talking to
8 Ms. Acey about it?

9 A. Again, possible we might have. I
10 don't remember a conversation right now, so I
11 would say no.

12 Q. Is it fair to say that after
13 reviewing these documents, if there were a
14 conversation, you would have recalled it based on
15 the subpoena and what you looked at with Ms. Acey?

16 A. Yeah, I mean, as we mentioned, I
17 do remember some discussions about item 4, item 5
18 as well. I don't remember specific details about
19 item 5, but I do remember there were some, some
20 issues that she had with the cell phone
21 reimbursement, and I forget if that was Diana
22 Wills or Judy Talis, but I do remember there being
23 frustration with the HR team around that.

24 Q. And again, as you testified
25 earlier, I believe, your understanding came from

1 conversations you had with Ms. Acey, not from
2 anything you saw; correct?

3 A. Yes, correct, yeah. Yeah, this
4 would have been prior to the documents.

5 Q. Okay. Is it fair to say that you
6 have no understanding of what Ms. Acey's claiming
7 with regard to sex then, based on your testimony?

8 A. I suppose right now, no.

9 Q. What do you mean by right now? I
10 mean, did you see anything at InductEV when you
11 worked with InductEV that would help you
12 understand Ms. Acey's claim with respect to being
13 harassed on the basis of sex; yes or no?

14 A. No.

15 Q. Is the same true for her claim
16 that she was harassed during the cell phone
17 reimbursement process; you didn't see anything at
18 InductEV with respect to that?

19 A. I didn't see it, no. I do
20 remember discussing it afterwards.

21 Q. But you have no firsthand
22 knowledge of this claim that she was harassed
23 during the cell phone reimbursement process?

24 A. No. I did not witness that
25 firsthand.

1 breath. At the time it sounded to be directed to
2 Maria.

3 I'm going to stop there. Do you
4 have any understanding of what Ms. Acey is
5 referring to?

6 A. I don't think I do.

7 Q. You would agree with me that if
8 somebody referred to you as a bitch during your
9 employment at InductEV, you would remember that;
10 right?

11 A. Probably.

12 Q. Do you remember ever being
13 referred to as a bitch by somebody during your
14 time at InductEV?

15 A. No.

16 Q. Okay. I'm going to jump down a
17 bit. I do not think Rob cursed. Later
18 observations such as Rob calling a test bay jig a
19 quote, bitch, close quote, after struggling with
20 it dispelled my skepticism.

21 Do you know who Rob is here? Who
22 is Ms. Acey referring to here? Do you have any
23 idea?

24 A. I would guess that it's Rob
25 Rosenberger.

1 Q. Were there any other Robs at the
2 company?

3 A. There were a couple Bobs. I
4 forget if there's another Rob.

5 Q. Okay. Why would you guess Rob
6 Rosenberger here?

7 A. Because of the test bay. He was
8 one that often worked on the test bay.

9 Q. Okay. But not because of the word
10 he allegedly used; right? Have you ever heard Bob
11 use that word?

12 A. I would say yes.

13 MS. ASSATA: Counsel, did you say
14 Bob on that last question or Rob? I'm sorry.

15 MR. LONGO: If I said Bob, I meant
16 Rob.

17 MS. ASSATA: Okay.

18 BY MR. LONGO:

19 Q. So when you heard Rob -- I'm
20 sorry. Did you say yes, you've heard Rob use that
21 word?

22 A. Yes.

23 Q. In what context?

24 A. I feel like "this thing's a bitch"
25 or "that's a bitch," something like that is

1 probably how I've heard him use it.

2 Q. Have you ever used the word in a
3 similar context?

4 A. Yes, in my lifetime, yes.

5 Q. Okay. You never heard Rob use the
6 word directed toward you; right?

7 A. No.

8 Q. How about towards Ms. Acey?

9 A. I have not witnessed that, no.

10 Q. Have you ever heard it?

11 A. To her, you mean?

12 Q. Yes, to her.

13 A. No, I don't think I've witnessed
14 that.

15 Q. When you say witnessed, you mean
16 you didn't see it and you didn't hear it; right?

17 A. No, I didn't see it or hear it.

18 Q. Okay. So when she says this is
19 why when he referred to me as, quote, that bitch,
20 close quote, you don't know what she's talking
21 about, do you?

22 A. No.

23 Q. Okay. Did anyone ever curse at
24 you?

25 A. No, I don't think so. Not that I

1 heard, at least.

2 Q. Did you ever curse at anyone at
3 InductEV?

4 A. No.

5 Q. Did you ever curse at a test bay
6 jig?

7 A. No.

8 Q. What's a test bay jig?

9 A. We had this setup that had two
10 coils on it, basically, to simulate one being the
11 bus and one the receiving coil on the bottom and
12 it would lower and raise to allow a certain gap
13 between the coils to simulate actual real world
14 conditions, and it's a pain but, yeah.

15 Q. That was my next question. It
16 sounds like a pain and you would agree with me, as
17 you testified, these test bay jigs were a pain to
18 work on?

19 A. Yes, like to load stuff up to,
20 yeah.

21 Q. Okay. I'm going to scroll down a
22 bit.

23 This paragraph, paragraph 14,
24 reads: A close colleague of Rosenberg, Rob R.,
25 was Rob Swierzoski (ph). I'm going to go ahead

1 Q. Okay. Did you ever see anything
2 that would suggest that Ms. Acey was the subject
3 of sexual harassment at work?

4 A. No, I did not witness anything
5 firsthand.

6 Q. Okay. Forgive me scrolling.
7 Beginning with paragraph 175 here. It reads:

8 As a woman employee, I was
9 subjected to a workplace culture and harassment on
10 the basis of my gender.

11 You testified a moment ago you
12 never saw anything that you understood to be
13 sexual harassment directed toward plaintiff. Is
14 your answer the same with respect to paragraph
15 175?

16 A. I believe, yes.

17 Q. Okay. In other words, did you
18 ever see anything that suggested Ms. Acey was
19 subject to a culture and harassment on the basis
20 of her gender? Yes or no?

21 A. No.

22 Q. Paragraph 176 reads:

23 This harassment included targeted
24 opposition, inappropriate office jokes and
25 unwanted touching from my colleagues.

1 Did you ever witness Ms. Acey
2 being touched by any colleagues?

3 A. I did not.

4 Q. Okay. Do you have any
5 understanding of what she means by targeted
6 opposition?

7 A. No.

8 Q. How about inappropriate office
9 jokes?

10 A. No, I don't know. I don't think I
11 witnessed those.

12 Q. So is it fair to say that you have
13 no idea what Ms. Acey's talking about with respect
14 to paragraphs 175 and 176 of her Complaint?

15 A. No -- Yes, it's fair.

16 Q. Yes, you have no clue what she's
17 talking about; right?

18 A. Yes. Or I didn't witness it
19 firsthand.

20 Q. Okay. Were you present during Ms.
21 Acey's new member orientation?

22 A. No.

23 Q. Okay. Bear with me. I would like
24 to direct your attention to paragraph 184. Some
25 of this stuff we already covered so I'm just going

1 to jump around.

2 Did you ever witness anyone
3 continuously staring at Ms. Acey?

4 A. Not that I remember.

5 Q. Did you ever witness anyone
6 comment on Ms. Acey's physical activity?

7 A. No.

8 Q. Did you ever witness anyone pursue
9 Ms. Acey from across a lab?

10 A. Not after hours, I don't think I
11 would have been there.

12 Q. During hours?

13 A. I don't think so. I wasn't really
14 paying attention to that stuff.

15 Q. Okay. Do you have any idea what
16 Ms. Acey's referring to when she says she was
17 pursued from across the lab after hours?

18 A. No.

19 Q. Did she ever talk to you about
20 that?

21 A. This, I don't believe so. I don't
22 remember.

23 Q. How about continuously staring or
24 commenting on her physical activity; did she ever
25 talk to you about that?

1 A. I don't remember.

2 Q. Do you recall whether Ms. Acey was
3 ever warned not to go to her manager for anything?

4 A. No, I don't think I know.

5 Q. Okay. Are you -- paragraph 190,
6 sub part A reads:

7 Mike Russell went out of his way
8 in an open corridor to brush against me.

9 A. No, I didn't witness that, no.

10 Q. You have no -- okay. Sam -- the
11 next paragraph reads:

12 Sam G. behaved lewdly toward me in
13 front of another colleague.

14 Do you know what Ms. Acey's
15 referring to there?

16 A. No. I didn't interact with either
17 of these individuals very much so, I don't know.

18 Q. Let me go ahead and stop sharing
19 my screen. I'm going to share my screen one more
20 time, here. Do you see my screen?

21 A. Yes.

22 Q. Paragraph 23(b) refers to sexually
23 biased opposition towards following Maria's
24 documents.

25 Are you aware of any sexually